

REMARKS

Claims 1-25 are currently pending in this Application. By the Final Office Action of 04/21/2006, the Examiner has rejected Claims 1-25 on various grounds discussed below.

The Applicant requests amendments of claims 1, 3, 10, and 18 as shown in the listing of claims.

The Applicant respectfully traverses the rejections as they would apply to the claims as amended. Reconsideration is requested.

Claims 1-25 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Wallace* US Pat. 6,647,117 in view of *Gidwani* US Pat. 6,640,239.

The reasons for these rejections as stated in the Final Office Action are identical to the reasons given in the office action of 12/07/05 and need not be repeated here.

The Applicant submits that the arguments provided in the response of 2/21/06 show that the rejections are improper and overcome all the grounds given for the rejections, and those arguments need not be repeated here.

However, the Examiner's response to the Applicant's arguments indicates a misunderstanding of the Applicant's arguments and of the references. The proposed amendments to the claims are intended to clarify the meaning of the claims to avoid such misunderstanding as discussed below.

The Examiner characterized Applicant's argument as stating that "...Wallace does not provide batteries of other power backup to the CPE." The Examiner disagrees with this statement. Since it is clear that *Wallace* does not provide batteries, or any

other power source, *in the CPE* for backup power, it is possible that the Examiner considers the conventional POTS line feed down the subscriber line to constitute backup power *to the CPE*. Applicants disagree with this position for several reasons.

POTS power over the subscriber line is conventional primary power in conventional telephone systems. It is not considered backup power. The LTE that provides this power has essentially unlimited power available, as far as the CPE is concerned, and there is no reason for notifying the customer that the CPE is providing power so that the customer can conserve energy. If there were such a need, then all customers operating on conventional POTS primary power would need to be so notified constantly. It is true that the POTS power feed is limited in terms of power level to about one watt, but *Wallace* teaches a power reduction strategy that reduces consumption below this limit. Once consumption is reduced, the system can operate indefinitely, i.e. there is no backup power source that will deplete and no need for the user to take action to conserve power.

The Applicant did not argue that *Wallace* did not teach "other power backup to the CPE." Instead the Applicant's argument was that "Wallace does not provide batteries or other power backup *in the CPE*." As discussed above, essentially any external power source for CPE has effectively unlimited power and does not present the problem addressed by the present invention. It is backup power sources *in the CPE* which have limited capacity due to limitations on space, weight, cost, etc. inherent in equipment that is to be operated on a customer premises, e.g. in the Examiner's home. The *Wallace* reference itself describes the DC power down the subscriber line as an "external power source", col. 7, lines 29-31.

The propose claim amendments would make it clear that a warning signal is given when the integrated services hub is operating with a limited source of power *in* the integrated services hub. In particular, the claims would be amended to reference the battery which is the backup power source *in* the integrated services hub. This is precisely the element that Wallace teaches is a problem in CPE and teaches should be avoided in CPE.

The Applicant submits that the proposed amendments are fully supported by the specification and consistent with arguments previously presented. They also obviate the Examiner's reasons for not finding the Applicant's arguments persuasive. Applicant requests entry of the amendments and allowance of the claims.

CONCLUSION

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the foregoing papers submitted herewith, or to credit any overpayment thereof, to Deposit Account No. 21-0765, Sprint.

Applicant respectfully submits that the present application as amended is in condition for allowance. If the Examiner has any questions or comments or otherwise feels it would be helpful in expediting the application, he is encouraged to telephone the undersigned at (972) 731-2288.

Respectfully submitted,

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